



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, FIRST SESSION

Vol. 167

WASHINGTON, WEDNESDAY, NOVEMBER 17, 2021

No. 200

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. ESPAILLAT).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 17, 2021.

I hereby appoint the Honorable ADRIANO ESPAILLAT to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2021, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with time equally allocated between the parties and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

BIDEN'S BORDER CRISIS IS ADDING TO THE COVID CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. ROSE) for 5 minutes.

Mr. ROSE. Mr. Speaker, 10 months into the Biden administration and crisis defines this Presidency.

Since President Biden took office, we have faced crisis after crisis, not the least of which is at our southern border. Right now, the United States is experiencing the highest number of attempted illegal border crossings in 21 years. Some 1.7 million people were ap-

prehended attempting to enter the U.S. illegally in fiscal year 2021, ending September 30, which is a new record. Over 164,300 attempted to cross just in October. This is 128 percent increase from last October.

Since March 20, 95,000 illegal immigrants were released with notices to report on their honor. President Biden recently announced a hotly debated approach to limiting the spread of COVID-19, mandating vaccinations for Federal workers, Federal contract workers, healthcare workers, and anyone who works for a private business with over 100 employees. But take a guess as to who is not included in this wide-spread vaccine mandate—illegal immigrants.

While President Biden blames American citizens for the increase in COVID cases, he refuses to call out the record number of illegal immigrants entering the United States from COVID hotspots around the world who are potentially contributing to the spread of new and dangerous variants of the virus, like the delta, lambda, and mu strains.

On September 20, when White House Press Secretary Jen Psaki was asked about this double standard, she is quoted as saying, illegal immigrants didn't need to comply because "they are not intending to stay." What a laughable statement.

Once again, we are seeing the Biden administration choosing to put the interests of illegal immigrants above the interests of the American people. Why is President Biden allowing this ever-growing burden on the already strained resources of this country to continue unabated?

Our southern border is an ongoing, full-blown catastrophe and it should be treated as one. That is why I am calling on President Biden to finally address this historic disaster of his own making and at least make a good-faith effort to stem the flow of illegal immi-

gration, dangerous illicit drugs, and human trafficking in this country. And while he is at it, to implement stricter, more comprehensive and more effective COVID protections at our southern border.

SYSTEMIC RACISM IN THE JUDICIAL SYSTEM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. GREEN) for 5 minutes.

Mr. GREEN of Texas. Mr. Speaker, and still I rise, a proud, liberated Democrat.

Mr. Speaker, I rise today to address systemic racism in the judicial system. I believe one of the best ways to explain this and help persons understand with some degree of clarity is to use an example.

Let's use an example of a 25-year-old White man. Let us assume that he is jogging through a neighborhood near his home. Let's assume that he is accosted by three Black men in a truck with a liberation flag on it. And let us assume that when they accost him, one of them has a shotgun and there is an encounter with this person, who happens to be a Black man. The White man is jogging, the Black men are pursuing, and now there is an encounter.

Let's assume that this Black male shoots the White man, and in so doing, a case is brought to court by way of a video. Let's assume that in this case, the prosecutor is Black, that the judge is Black, and let's assume that the defense attorneys are able to select a jury that has 11 Black people, one White person.

Mr. Speaker, this happens quite often in our country. As a matter of fact, it can happen regularly in our country to Black people. Black people don't have the luxury of being tried by juries with 11 Black people on them. They are likely to be fewer than three. Black people don't have the luxury of being in a

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H6321

courtroom where the judge is Black, the prosecutor is Black, the court reporter is Black, and the witnesses are Black. We have a moral imperative to address this level of systemic discrimination. We should do more than simply talk about it, however. Addressing it with words is important, but we have to do more than this. We must do more than desire to manage systemic racism. We want to end it. If we don't end systemic racism, too many persons of color will continue to suffer, as is the case in this country today.

We, in this Congress, can do something about this. We have a duty to do something about it, and that something has to entail dealing with what is called a peremptory challenge, which allows a lawyer to simply draw a line through the name of a person and have that person removed from the jury, assigning some specious reason for doing so, and end up with a Black person being tried by a jury that is almost White—11 Whites and one Black.

The peremptory challenge is not something that is embedded in the Constitution. It is not something that is required. Persons can be removed from a jury for cause, but this cause, this peremptory challenge, is the cause that we should take a look at because it is absolute and it allows systemic racism to rear its ugly head in our courtrooms.

I hope to present legislation addressing systemic racism by way of the peremptory challenge.

BUILD BACK BETTER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nebraska (Mr. BACON) for 5 minutes.

Mr. BACON. Mr. Speaker, I rise today in strong opposition to the Build Back Better Act.

President Biden, Leader SCHUMER, Speaker PELOSI, and Chairman BERNIE SANDERS have made it clear they want to transform America. In fact, those are their words. They want to transform America using reconciliation, the so-called Build Back Better Act. They are trying to do it with a 50-50 Senate, a 3-seat majority in the House out of 435 Members, and a President that won by just two States.

Last November, the country did not vote for transformation, but for middle-of-the-road centrist policies and steady leadership. That is not what they got, and voters are mad.

Just look at the polling. The President sits at a 38 percent favorable rating. The generic ballot for the House favors Republicans by 11 points—the biggest margin seen in the history of this polling.

If there is any doubt, just review the recent results of Virginia where a Republican was elected; in New Jersey where a Democrat squeaked by in his reelection. A 12-point swing in Virginia and a 14-point swing in New Jersey in just one year.

Our Nation does not desire to be a giant welfare State with cradle-to-

grave government oversight controlling their lives. Last year, the country didn't vote to give amnesty and government payouts for adults who illegally crossed our borders and jumped to the front of the line of those trying to come here through legal channels. The country did not vote to hire 87,000 more IRS agents for auditing every-day Americans to raise \$400 billion to pay for their reckless spending spree.

We need IRS agents to provide customer service to those still waiting for their tax refunds, sometimes a year late, but not for more audits. Americans didn't vote to raise taxes on a third of the middle class, which is what the left-leaning Tax Policy Center stated is the case, while it also found that two-thirds of millionaires will now get a tax break at the same time because of the changes made to the SALT deductions in this bad bill.

Americans didn't vote to remove the Hyde amendment that prevented our tax dollars from paying for abortions, and they did not vote to remove work requirements for able-bodied adults to receive welfare benefits. Americans did not vote to impede and ban domestic energy and mineral production, or to increase our reliance on China and OPEC. Our citizens did not vote to raise taxes on natural gas that Americans use to heat their homes, and we did not vote to undermine our research and discovery of new drugs that can save people's lives.

Finally, Americans did not vote to give people earning up to \$500,000 tax breaks for buying electric vehicles. The authors of this legislation have either misjudged or ignored where the country is at on these issues. This legislation is a total transformation, is what the President is saying, but it is a giant, welfare-State transformation. For these reasons, and many more, I will be voting "no" on the Build Back Better Act, and I urge my colleagues to do the same.

Mr. Speaker, I pray that moderate Democrats will say no, and like many Americans, I am grateful that Senators MANCHIN and SINEMA have been voices of reason and commonsense. We need more of their voices.

HONORING HERB BARRET FOR A REMARKABLE LIFE OF SERVICE

The SPEAKER pro tempore (Mr. RUIZ). The Chair recognizes the gentleman from New York (Mr. ESPAILLAT) for 5 minutes.

Mr. ESPAILLAT. Mr. Speaker, last week, we celebrated Veterans Day. In that spirit, I rise today to honor a man of exemplary service, unwavering dedication to our country, and someone I am proud to call a constituent, Mr. Herb Barret.

Mr. Barret is someone who has lived a remarkable life of service. He is a veteran and a former member of the Marine Corps who risked his life for our country in the Korean war—sadly, but often known, as "the forgotten

war." Marines live by a set of values and principles, such as honor, courage, commitment. They are the bedrock of our Nation's character, and what Mr. Barret embodies every single day in our community. Throughout his esteemed career, Mr. Barret has shined bright as a beacon of perseverance and commitment, inspiring all of us with his valor along the way.

Mr. Barret is a dedicated member of our community in New York City and has laid the groundwork for the next generation of public servants to follow in his footsteps. He is a living example that anything that is possible in this country through hard work, dedication, and perseverance, through the physical, mental, and moral battles faced during combat and while serving in our communities on behalf of our great Nation. He is a man of great integrity, courage, and humility, and I am proud to call him a member of our community.

HONORING DR. JUAN TAPIA-MENDOZA

Mr. ESPAILLAT. Mr. Speaker, I also rise today to honor Dr. Juan Tapia-Mendoza, a fellow Dominican immigrant and New Yorker who has fought tirelessly to achieve the American Dream—and that he did.

Before Dr. Tapia-Mendoza opened his pediatric practice, he was a graffiti artist known only as "C.A.T. 87," whose work was found all over the subway cars and across the city of New York in empty lots, particularly in northern Manhattan and beyond.

Though he dropped out of school at a young age, his art showcased a strong motivation, and he was able to channel that motivation into his studies and return back to Santo Domingo to study medicine.

Upon his return, Dr. Tapia-Mendoza, opened Pediatrics 2000 group, which now has two locations in my district and serves over 20,000 children, supporting not only the health of our children, but their education and literacy as well, fostering the next generation of young leaders in our community.

His clinic is also an art gallery, a center that brings together young people in our neighborhood for healthy activities; uniting medicine and art to uplift our children.

Dr. Tapia-Mendoza's incredible story was the subject of a recent documentary titled, "The Graffiti Artist Who Became a Doctor," which was recently awarded an Emmy award.

Mr. Speaker, I am here not only because he won that Emmy but because he also was there for the entire community during this horrible pandemic.

He is a shining example of how tenacity, artistry, and community intersect. I commend Dr. Tapia-Mendoza for his work and for using his story to inspire a new generation of our Latino youth.